

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 16445 of 2007(G)

PETITIONER:

KALCHIRA SREE NARASIMHA MURTHY KSHETHRAM
MAVOOR - 673661 KOZHIKODE DISTRICT,
KERALA KSHETHRA SAMRAKSHANA SAMITHI
SAKA NO.278 REPRESENTED BY ITS SECRETARY,
RAVINDRANATH PANICKER K.C.

BY ADV. SRI.K.SHRIHARI RAO
SMT.N.SHOBHA

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY, DEVASWOM DEPARTMENT, SECRETARIAT,
TRIVANDRUM.
2. THE DEPUTY COMMISSIONER, HR AND CE
(ADMINISTRATOR), CIVIL STATION,
KOZHIKODE - 20.
3. KOMALESWARAM, DEPUTY COMMISSIONER,
(ADMINISTRATION), HR & CE (ADMINISTRATION)
DEPARTMENT, CIVIL STATION, KOZHIKODE - 20.
4. VASUDEVAN NAMBOODIRI,
S/O.GANGADHARAN NAMBOODIRI, PARAMBATH
EDALAKULATH ILLOM, MAVOOR P.O., 673661,
KOZHIKODE DISTRICT.
5. NARAYANAN NAMBOODIRI,
S/O.NEELAKANDAN NAMBOODIRI, PALAKKOL ILLOM,
MAVOOR P.O., KOZHIKODE DISTRICT - 673 661.
6. PARAMESWARAN NAMBOODIRI,
S/O.VASUDEVAN NAMBOODIRI,
PALANGATT ILLOM, MAVOOR P.O.,
KOZHIKODE DISTRICT, 673661.
7. NARAYANAN NAMBOODIRI,

S/O.NARAYANAN NAMBOODIRI,
MULLAPALLI ILLOM, KANNIPARAMB P.O.
(VIA) MAVOOR, KOZHIKODE DISTRICT.

BY GOVERNMENT PLEADER SRI.SANDHESH RAJA
SRI.V.V.SURENDRAN FOR R5
SRI.P.A.HARISH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.S.RADHAKRISHNAN & ANTONY DOMINIC JJ

W.P.(C).16445/2007

Dated this the 28th day of June, 2007

JUDGMENT

K.S.Radhakrishnan, J.

Heard the counsel for the petitioner.

2. The counsel for the petitioner submitted before us that Ext.P4 order is passed by the Deputy Commissioner HR and CE (Administration), Kozhikode, second respondent herein, without hearing him and he has no jurisdiction to pass such an order.

3. In such circumstances, this writ petition is disposed of directing the second respondent, Deputy Commissioner HR and CE (Administration), Kozhikode, to dispose of O.A.5/2007, after considering all contentions of the parties including the question of jurisdiction, within a period of two months from the date of receipt of a copy of this judgment.

K.S.RADHAKRISHNAN
Judge

ANTONY DOMINIC
Judge

mrCS